

**AN ORDINANCE      9 6 8 1 9**

**SELECTING CDS/MUERY SERVICES, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE HOWARD DRAINAGE – WILDWOOD TO EL MONTE PROJECT, LOCATED IN COUNCIL DISTRICT 1; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$90,923.00; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; FOR AN OVERALL TOTAL OF \$100,923.00 FROM 1999 GENERAL OBLIGATION DRAINAGE IMPROVEMENT BOND FUNDS; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.**

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**WHEREAS**, CDS/Muery Services, Inc. submitted a proposal to provide the necessary professional engineering services in connection with the Howard Drainage – Wildwood to El Monte Project; and

**WHEREAS**, this Ordinance authorizes a professional services contract for engineering services for drainage improvements and street reconstruction from Wildwood to El Monte; and

**WHEREAS**, this Ordinance authorizes an amount not to exceed \$90,923.00 to provide professional engineering services and \$10,000.00 for miscellaneous contingency expenses in connection with the Howard Drainage-Wildwood to El Monte Project; and

**WHEREAS**, it is now necessary to authorize the selection of said firm, authorize the negotiation of a professional services contract and provide for payment of said contract, as well as, payment for contingency expenses; and

**WHEREAS**, approval of this Ordinance will be a continuation of City Council policy to construct previously approved 1999 G.O. Drainage

Improvement bond funded Capital Improvement Projects; **NOW THEREFORE;**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** CDS/Muery Services, Inc. is hereby selected to provide professional engineering and design services in connection with the Howard Drainage – Wildwood to El Monte Project.

**SECTION 2.** City staff is authorized and directed to commence negotiations with said firm to reach an agreement on a contract for such work at a fair and reasonable price not to exceed \$90,923.00.

**SECTION 3.** If a contract can be negotiated in accordance with the terms of the standard form contract for engineering services, and in accordance with the price provisions contained herein, the City Manager or her designee is authorized to execute such an agreement without further City Council action. A copy of such standard form contract appears in substantially the same form as Attachment I attached hereto and incorporated herein for all purposes. Should a contract be negotiated which varies from the standard terms, the contract must be considered through a subsequent Ordinance. If so, City Council must approve the contract terms and insure that compensation provided meets the legal requirements set out in section 2254.004 of the Texas Government Code.

**SECTION 4.** The budget in fund 45-962095, 1999 Drainage Improvements , Sold 2001, is adjusted by reducing index code 695585, entitled Unallocated Appropriations: Proceeds, by the amount of \$100,923.00.

**SECTION 5.** The amount of \$100,923.00 is appropriated in fund 45-962011, 1999 Drainage Improvements , Sold 2001, in index 953331, entitled transfer to 45-969012. The amount of \$100,923.00 is authorized to be transferred from 45-962011 to fund 45-969012.

**SECTION 6.** The budget in fund 45-969000, 1999 Drainage Improvements, is adjusted by increasing index code 115782, entitled transfer from 45-962011 (45-969012) Howard Drainage.

**SECTION 7.** The amount of \$90,923.00 is appropriated in fund 45-969012, 1999 Drainage Improvements, in index code 763961, entitled Engineering


Contract. The amount of \$90,923.00 is authorized to be encumbered and made payable to CDS/Muery Services in connection with the Howard Drainage – Wildwood to El Monte project.


**SECTION 8.** The amount of \$10,000.00 is appropriated in fund 45-969012, 1999 Drainage Improvements, in index code 763979, entitled miscellaneous engineering contingency. The amount of \$10,000.00 is authorized to be encumbered and made payable for miscellaneous engineering contingency expenses in connection with the Howard Drainage – Wildwood to El Monte project.

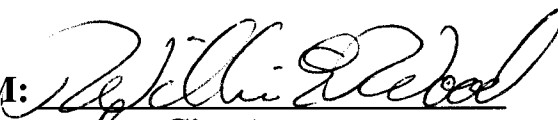
**SECTION 9.** The Director of Finance, may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

**SECTION 10.** This Ordinance shall be effective on December 22, 2002.

**PASSED AND APPROVED** this 12<sup>th</sup> day of December, 2002.

  
M A Y O R  
EDWARD D. GARZA

ATTEST:   
City Clerk

APPROVED AS TO FORM:   
for City Attorney